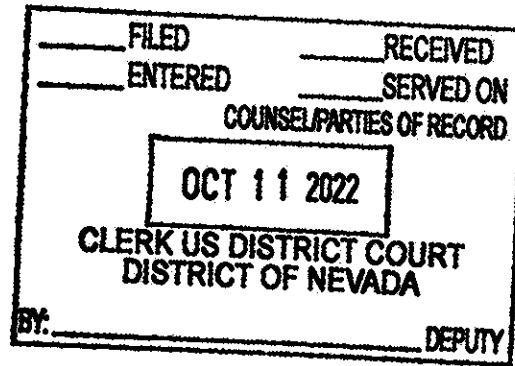


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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PARNELL COLVIN,
PLAINTIFF,

CASE NO: 2:22-CV-00082-CDS-DJA

VS.

TAKO LLC,
DEFENDANT,

MOTION TO DEMAND
JUDGE: CRISTINA D. SILVA, RECUSE
HERSELF FROM PLAINTIFF CASE
FOR BEING BIAS AND PREJUDICE
TOWARDS PLAINTIFF.

Comes now plaintiff Parnell Colvin, and is demanding that the above mentioned judge (Silva) recuse herself from plaintiff case for the following reasons and arguments. This is the second request that plaintiff Colvin, has requested. This court has shown a very clear willing to harm plaintiff Colvin, in his efforts to pursue his case against the defendant (TAKO LLC), this court has substituted itself as defendants personal attorney making what is clear arguments that the defendant should be making rather than the court picking sides and having what seems to be a personal interests in the outcome this puts plaintiff Colvin, at an unfair and disadvantage position. The courts favoritism is helping the defendants in dismissing plaintiff lawsuit is denying plaintiff due process of the law as all judges are to be fair and impartial not with this court taking an personal interests in the outcome.

1 Plaintiff Colvin, is very concerned about the lack of fair treatment and due process that the court has
2 shown him so far during these proceedings and it warrants Judge Silva, to recuse herself from this case.
3 Plaintiff Colvin, has been dealing with the federal courts since (1988) and has never seen a litigant wheather
4 it is the plaintiff (s) or defendant (s) have to fight so hard for a request as an extention as plaintiff Colvin had to.
5 Colvin, had to file many motions and requests to get this basic request right as litigants are (GRANTED) if
6 good cause is shown in the instant case good cause was shown as Colvin, has other cases pending in the same
7 federal courthouse and his attorneys and defense attorneys have been granted extentions. Also Colvin, state case
8 against the defendants both sides have been granted numerous extentions.

9
10 This court has shown itself to be bias and pregudice against the plaintiff Colvin, therefore denying him
11 his right to due process. This court routinely denied Colvin, requests for an extention to file his answer even
12 after Colvin, stating that he had multiple cases pending in federal and state court. This court kept ignoring the
13 this fact and was relying and stating that since this court had dismissed defendants motion that some how
14 plaintiff Colvin, request for an extention was moot. Clearing the court was intentionally over looking the fact
15 that Colvin, requests was needed for time to address and respond to multiple pending case proceedings yet this
16 court never addressed this known fact even though Colvin, presented his case numbers to the court for review.

17
18 This was done to add to plaintiff much needed extention and every time the court would rule and say it was
19 moot because the court had dismissed defendants motion. Knowing that Colvin, request was made on a solid
20 foundation this court kept denying him on a false pretext reasons. Colvin, never gave up knowing this requests is
21 one of the most basic requests made and for good causes shown is generally always granted. Plaintiff last
22 attempt he had to request the court simply address the fact that why was the court continually denying his
23 requests and also submitted an referral from his doctor showing that plaintiff needs surgery.

24
25 Plaintiff strongly believes even before this point he showed good cause and the court being bias and
26 prejudice towards him kept denying his requests for extentions on false basis. No litigant should have had to go
27 through what plaintiff Colvin, had to just for a simple request for an extention of time to file his answer and it
28 was his first request that would have been granted.

1 Plaintiff Colvin, being resilience and determined to not give up and hold the court accountable for intentionally
2 abusing its discretion that this court finally granted plaintiff Colvin, request for an extension to file his
3 answer but battle with the court showed just how bias and prejudice this court is towards plaintiff Colvin.
4

5 The court has what seems to have substituted itself as the attorney for the defendant the court has what
6 seems to be legal arguments on behalf of the defendant to help them. While during the court denying plaintiff
7 motion for an Injunction / TPO against the defendant. the court stated that plaintiff must now show that this
8 court has subject matter jurisdiction. Plaintiff believes if this is an issue the defendant attorney of record
9 Taylor Simpson, should be making the arguments on behalf of his client Tako LLC not the court. The defense
10 attorney has done nothing of material fact but take this court's orders and run to file Las Vegas Justice Court,
11 and keep trying to force and pressure that court to put the case on calendar which they constantly refused and
12 rejected Simpson's, pressure tactics.
13

14 This court now has set in place that Colvin, must meet somehow overcome the cases that this court has
15 put in place where he must meet (Kligele V. Eikenberry) and (Rand v. Rowland) plaintiff Colvin, will address
16 these cases in his answer. However in one of the cases this court cited one is in prison and an inmate for murder
17 and is looking for remedies from prison officials. Plaintiff Colvin, is neither an inmate, in prison or seeking
18 prison assistance this feels more like the court is sending a signal to the defendant that the court has your back.
19 This is what president Donald J. Trump, told the proud boys stand down but be ready. Meaning this court will
20 dismiss Colvin, lawsuit to help you.
21

22 Plaintiff Colvin, has been an outspoken advocate for many years for injustice and civil rights including
23 the so called justice system. Being a Pro Se Litigant gives you the freedom to speak one's mind as many
24 attorneys are scared to speak the truth about judges history has shown they retaliate against litigants all the time
25 they just hide it behind and within their rulings. Attorneys are scared to speak up because they come before
26 these same judges and are scared to be on their bad side. The reality is judges are humans too they make wrong
27 rulings all the time people assume that because they are judges they know the all laws they don't they have law
28 clerks that research for them and they do misapply or misinterpret the laws all the time no one is perfect.

1 Plaintiff Colvin, will address in more details but if it is based off of this court position then no one has a
2 right to due process, law enforcement can just writes tickets arrest citizens prosecutors can charge citizens and
3 and convict you without a trial or ones day in court. Plaintiff postion has been he was deniend due process
4 he has the United States Constitution that guarantees all citizens the right to do due process of the law.
5 No states counry ,city or municipality can override this right to due process of the law Plaintiff will be engaged
6 when he files his answer by October 27, 2022 assuming he is not in the process of having or dealing with his
7 surgery. At which point he will request an extention for medical reasons even if this court denies it plaintiff will
8 have his request on record.
9

10 Plaintiff believes for reasons stated and in the intersts of justice this court should immediately recuse
11 from the present case. It is very clear the court has already has made its mind up on dismissing plaintiffs lawsuit
12 before even hearing his arguments. The court is just going through the process to appear to allow plaintiff
13 the opportunity to file an answer even though from plaintiff respective the court has long been made its mind up.
14 The good thing in america we have the appeal process and plaintiff will use the right to file an appeal
15 immediately following the courts ruling in the event it dismisses plaintiff lawsuit. Attorney Taylor Simpson, I
16 no your intentions you will immediately file to get the case on calender in justice court.
17

18 However make sure you attach a copy of my notice of appeal with your filing and attempt to get this case
19 on calender. I have a right to take this case all the way to the United States Supreme Court and I plan on
20 exercising my guranteed rights allowed by the federal constitution.
21

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RELIEF REQUESTED

- (1). The court should recuse from plaintiffs case for clearly being bias and prejudice.
- (2). Rule on plaintiff motion to amend his complaint.

For good cause shown the court should grant plaintiff requests stated within this motion.

Dated and submitted this day October 10, 2022



PARNELL COLVIN